

Applicant: Maxson et al.
Appl. No. 10/773580
Examiner: Yang, Clara I.
Docket No. 705397.4014

REMARKS

In the Office Action, the Examiner objected to the specification, rejected claims 1-20 under the judicially created doctrine of obviousness-type double patenting, objected to claims 10 and 19 as not being in proper dependent claim form, and claims 21-30 under 35 USC 112. The Examiner further noted that claims 21-30 would be allowable if amended to overcome this rejection. In view of the foregoing amendments, the following remarks and attached terminal disclaimer, applicants respectfully request reconsideration and withdrawal of the examiner's objections to the claims and specification, and rejections of the claims.

Objection to the Specification:

Applicants have amended paragraph [001] to included the expression "now United States Patent No. 6,714,137" and overcome the examiner's objection.

Claim Rejections – Double Patent

Applicants have attached here to a terminal disclaimer executed by the assignor of record for the subject application and Patent No. 6,714,137.

Claim Objections – Improper Dependent Form

Applicants have amended claims 10 and 19 to overcome the examiner's objection there to.

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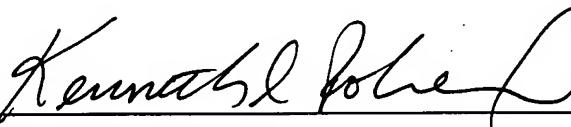
Claim Rejections – 35 USC 112

Applicants have amend claim 21 to more clearly define the quiescent period.

Conclusion

By entry of this amendment, Applicants respectfully submit that the Examiner's rejections and objections in the Office Action mailed October 19, 2004 have been overcome. Applicants respectfully request that the Examiner allow the application with the presently pending claims 1-30. The Examiner is invited to telephone the undersigned representative at (949) 567-6700 ext. 7760, if the Examiner believes that a telephonic interview would advance this case to allowance.(Original)

Respectfully submitted,

Dated: January 18, 2005
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